

a professor at CUNY Law School and former chair of the New York Asian Women's Center. Together they are raising two children, William who is 8 and John who is 6.

I am confident that given his extraordinary background of professional accomplishment, Ray Lohier will be an excellent addition to the U.S. Circuit Court for the Second Circuit. He was unanimously supported by the Judiciary Committee on May 13 of this year, and I urge all of my colleagues to support his confirmation.

The PRESIDING OFFICER. Who yields time?

Mr. MCCONNELL. Mr. President, we yield back our time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Raymond Joseph Lohier, Jr., of New York, to be United States Circuit Judge for the Second Circuit?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kentucky (Mr. BUNNING), the Senator from South Carolina (Mr. DEMINT), the Senator from Georgia (Mr. ISAKSON), the Senator from Illinois (Mr. KIRK), and the Senator from Ohio (Mr. VOINOVICH).

Further, if present and voting, the Senator from Kentucky (Mr. BUNNING) would have voted "yea" and the Senator from South Carolina (Mr. DEMINT) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 284 Ex.]

YEAS—92

Akaka	Corker	Kohl
Alexander	Cornyn	Kyl
Barrasso	Crapo	Landrieu
Baucus	Dodd	Lautenberg
Bayh	Dorgan	Leahy
Begich	Durbin	LeMieux
Bennet	Ensign	Levin
Bennett	Enzi	Lieberman
Bingaman	Feingold	Lincoln
Bond	Feinstein	Lugar
Boxer	Franken	Manchin
Brown (MA)	Gillibrand	McCain
Brown (OH)	Graham	McCaskill
Brownback	Grassley	McConnell
Burr	Gregg	Menendez
Cantwell	Hagan	Merkley
Cardin	Harkin	Mikulski
Carper	Hatch	Murkowski
Casey	Hutchison	Murray
Chambliss	Inhofe	Nelson (NE)
Coburn	Inouye	Nelson (FL)
Cochran	Johanns	Pryor
Collins	Johnson	Reed
Conrad	Kerry	Reid
Coons	Klobuchar	Risch

Roberts	Snowe	Vitter
Rockefeller	Stabenow	Warner
Sanders	Tester	Webb
Schumer	Thune	Whitehouse
Sessions	Udall (CO)	Wicker
Shelby	Udall (NM)	

NOT VOTING—8

Bunning	Kirk	Voinovich
DeMint	Shaheen	Wyden
Isakson	Specter	

The nomination was confirmed.

#### NOMINATION OF CARLTON W. REEVES TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Carlton W. Reeves, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to support the President's nomination of Mr. Carlton Reeves to be a U.S. District Court Judge for the Southern District of Mississippi.

Mr. Reeves practices law in Jackson, MI. He received his undergraduate degree from Jackson State University and his law degree from the University of Virginia.

He has served as a clerk and staff attorney for the Mississippi Supreme Court, and as the chief of the Civil Division in the U.S. Attorney's Office for the Southern District of Mississippi.

Mr. Reeves has been actively involved with Mississippi Legal Services and other public interest organizations in our State which will serve him well as he takes on this important new responsibility.

Mr. President, I am pleased to recommend this nominee for confirmation by the Senate.

Mr. LEAHY. Mr. President, the Senate will finally vote on the nomination of Carlton W. Reeves to fill an emergency vacancy on the U.S. District Court for the Southern District of Mississippi. Currently a partner in a Jackson, MI, law firm, Mr. Reeves is a former Federal prosecutor. Both of his Republican home State Senators, Senator COCHRAN and Senator WICKER, introduced Mr. Reeves at his confirmation hearing, and they emphasized his outstanding reputation in the Jackson legal community, as well as the bipartisan nature of the Mississippi delegation's support for this fine nominee. The Judiciary Committee reported his nomination on August 5 with the support of all but 1 of its 19 members. That was more than 4 months ago. Senate consideration and confirmation of his nomination has been delayed for months with for no good reason. When he is finally confirmed, Mr. Reeves will become only the second African-American Federal district judge in Mississippi. He will fulfill the pledge made by President Bush that went unfilled.

After the confirmations today, there remain more than two dozen Federal

circuit and district court nominations favorably reported by the Judiciary Committee, most of the unanimously, also ready for consideration and a final vote. The practice used to be for the Senate to confirm and confirm consensus nominees within days of their being favorably considered by the Judiciary Committee, certainly those reported without opposition. No longer. Courtrooms are being kept vacant for months and months while justice is, at best, delayed.

During the first 2 years of the administration of President George W. Bush, a Democratic Senate majority proceeded to vote on 100 of his judicial nominations. That included controversial circuit court nominations reported during the lameduck session in 2002. In contrast, during this first Congress of President Obama's administration, the Senate has been allowed to consider just over 50 of the 80 nominations fully considered and reported favorably by the Judiciary Committee.

I congratulate Mr. Reeves and his family on his confirmation today. This day was a long time coming.

The PRESIDING OFFICER. Is there further debate?

There being no further debate, the question is on agreeing to the nomination.

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MERKLEY). A motion to reconsider the vote to the nomination is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Massachusetts is recognized.

#### UNANIMOUS-CONSENT REQUEST—S. 2919

Mr. KERRY. Mr. President, I want to clarify this for my colleagues. There are a couple of items, and they will be done quickly in legislative session by unanimous consent. Then we will come right back to the procedure we had talked about previously. For the purpose of that consent, in legislative session, I yield to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. In legislative session, I wish to make a unanimous consent request.

I ask unanimous consent that the Banking Committee be discharged from further consideration of S. 2919, the Small Business Lending Enhancement Act, and the Senate proceed to its immediate consideration; that a Udall of Colorado substitute amendment, which is at the desk, be agreed to, the bill, as amended, be read the third time and passed, and the motions to reconsider be laid upon the table, with no intervening action or debate.